

**BEFORE THE INDIANA CIVIL RIGHTS COMMISSION
311 West Washington Street
Indianapolis, Indiana 46204**

STATE OF INDIANA)
) SS
COUNTY OF MARION)

**SHEILA M. HENRY,
Complainant,**

DOCKET NO. 06632

vs.

**TRANSWAY DIVISION PBM, INC.
d/b/a HERTZ-RENT-A-CAR,
Respondent.**

SPECIAL FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Commission, at the request of the Respondent, makes the following Findings of Fact in this cause and states Conclusions of Law thereon as follows:

FINDINGS OF FACT

1. Respondent , Transway Division PBM, Inc., was in all of 1974, and still is, the Hertz-Rent-A-Car franchisee in Lafayette, Indiana, engaged in renting cars and trucks.
2. Respondent operated Hertz franchises in Peoria and Chicago Heights, Illinois; Valparaiso, Fort Wayne, Lafayette and Michigan City, Indiana in 1974.
3. Complainant was hired as a car rental representative on or about March 1, 1974 by Respondent at Lafayette.
4. On May 21, 1974 Complainant filed her Complaint with the Indiana Civil Rights Commission alleging discrimination in failure to promote citing the reason that she is female.

5. On October 8, 1974 Complainant was terminated from her employment by Respondent.
6. On December 27, 1974 Complainant filed her retaliation Complaint alleging six months of harassment and then termination.
7. There was no underlying scheme or conspiracy to harass Complainant during said period, May 21, 1974 to October 8, 1974.
8. The treatment received by Complainant from her Supervisor, Richard Cox was not materially different from his treatment of the other employees at Hertz in Lafayette from May 21, 1974 to October 8, 1974.
9. Complainant was not harassed by Respondent nor her Supervisor, Richard Cox.
10. Complainant was terminated because her husband physically assaulted her Supervisor, Richard Cox, after she incited her husband on October 8 1974.
11. Respondent did not discharge the Complainant as retaliation against her for filing her sex discrimination complaint.

CONCLUSIONS OF LAW

1. The Law is with Respondent.
2. Respondent has the right to discharge any employee for any nondiscriminatory reason under the Act.
3. Respondent terminated Complainant because her husband assaulted her Supervisor.
4. Respondent did not retaliate against Complainant for filing her sex discrimination complaint.

JUDGMENT

The Commission now adopts the Finding of Fact and Conclusions of Law herein and enters judgment for Respondent accordingly.

Signed: March 14, 1978